

Message Text

LIMITED OFFICIAL USE

PAGE 01 MUNICH 00796 291543Z

67

ACTION EB-11

INFO OCT-01 CIAE-00 COME-00 DODE-00 NSAE-00 RSC-01 ACDA-19

TRSE-00 EUR-25 AEC-11 ISO-00 DRC-01 /069 W

----- 073110

R 291525Z MAY 74

FM AMCONSUL MUNICH

TO SECSTATE WASHDC 5044

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMCONSUL ANTWERP

AMCONSUL FRANKFURT

LIMITED OFFICIAL USE MUNICH 0796

EXCON FOR COMMERCE

E.O. 11652: N/A

TAGS: ESTC, GW, BE

SUBJECT: P/S CHECK ON TAPE TESTERS TO AGFA; OEA/CD INVESTIGATIVE

CASE NO. 11(74)-8

REF: STATE 103743

1. MAY 28 CONVERSATION WITH WERNER GILG, WHO HAS BEEN ON VACATION, PRODUCED NO EVIDENCE THAT HE WAS AWARE OF AGFA INTENTION SHIP KYBE TAPE TESTERS TO POLAND. HE REAFFIRMED TO CONGEN INVESTIGATING OFFICER THAT HE DID NOT KNOW BEFORE MARCH 20 THAT TESTERS WERE IN POLAND.

2. HE DID VOLUNTEER FOR FIRST TIME, HOWEVER, STATEMENT THAT HE LEARNED OF AGFA INTENTION TO SHIP TESTERS TO BELGIUM SOME 6 MONTHS AFTER DELIVERY OF SAME IN MUNICH. ACCORDING GILG, THIS INFO CAME TO HIS ATTENTION IN COURSE OF SUPPLYING COPIES OF SALES DOCUMENTS TO AGFA, WHICH LATTER REQUESTED IN ORDER APPLY FOR REFUND OF FRG CUSTOM DUTIES PAID ON TESTERS. GILG SAID HE CONSIDERED THIS A ROUTINE REQUEST, SINCE HE HAD NO REASON SUSPECT FIRM OF AGFA'S STATURE PLANNING DIVERT TESTERS TO EAST.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 MUNICH 00796 291543Z

ALTHOUGH GILG'S FAILURE REPORT AGFA INTENTION REEXPORT EQUIPMENT

TO BELGIUM WITHOUT USG CONSENT MAY BE TECHNICALLY IN VIOLATION EXCON REGS, THERE IS NO EVIDENCE HE HAD PRIOR KNOWLEDGE OF POLAND DEAL. IT IS, IN FACT, DOUBTFUL THAT GILG WOULD HAVE MENTIONED HIS KNOWLEDGE OF INTENDED REEXPORT TO BELGIUM IF HE KNEW ABOUT ULTIMATE DESTINATION OF TESTERS.

3. GILG CONTINUES TO STRESS THAT HIS POLICY HAS ALWAYS BEEN STRICT ADHERENCE TO EXCON REGS AND THAT HE INTERESTED ONLY IN LONG-TERM, PROFITABLE EXPLOITATION OF GERMAN AND AUSTRIAN MARKETS FOR KYBE EQUIPMENT.

4. WHEN INVESTIGATING OFFICER ASKED DURING MAY 9 VISIT TO AGFA FOR COPIES DOCUMENTS MENTIONED PARA 4(A) REFTTEL, EXECUTIVES DECLINED MAKE THEM AVAILABLE. HOWEVER BRIEF PERUSAL CONTENTS THESE VOLUMINOUS DOCUMENTS LEFT IMPRESSION THAT KYBE TESTERS MENTIONED IN TEXT ONLY AS PART OF MUCH LARGER INVENTORY OF EQUIPMENT TO BE SHIPPED TO POLAND. WE SEE NO REASON TO ASSUME AGFA WOULD HAVE CONSULTED KYBE/GILG IN PREPARING SUBJECT DOCUMENT FOR SUBMISSION TO STATISTISCHES BUNDESAMT.SPIVACK

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DATA PROCESSING EQUIPMENT, EXPORTS, STRATEGIC TRADE CONTROLS, TRANSACTION CHECKS
Control Number: n/a
Copy: SINGLE
Draft Date: 29 MAY 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974MUNICH00796
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740135-0169
From: MUNICH
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740511/aaaaajcm.tel
Line Count: 81
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: STATE 103743
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 01 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <01 APR 2002 by cunninfx>; APPROVED <13 JUN 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: P/S CHECK ON TAPE TESTERS TO AGFA; OEA/CD INVESTIGATIVE CASE NO. 11(74)-8
TAGS: ESTC, GE, BE
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005